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November 4, 2008

**DOCUMENT ELECTRONICALLY FILED**

Honorable Peter G. Sheridan, U.S.D.J.

Dr. Martin Luther King, Jr., Federal Courthouse and Post Office  
50 Walnut Street  
Newark, NJ 07102

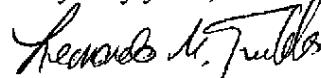
Re: *Kostelnik v. Sproviero, et al.*  
Civil Case No. 2:07-CV-4375

Dear Judge Sheridan:

With respect to the Settlement Conference scheduled for Friday, November 14, 2008 at 11:00 am, please be advised that I have a scheduled videotaped deposition in Princeton, NJ which will require me to be released from the settlement conference no later than 12:30 pm.

In addition, unless I am advised to the contrary, I will assume the having a representative available by phone will be acceptable to the Court. Please let me know if other arrangements are required.

Very truly yours,

  
Leonardo M. Tamburello

*for Plaintiff*  
*The status conference*  
*is moved up to 10:30 a.m.*  
*The adjournment must*  
*attend*  
*Peter M. Lynch*  
*11/5/08*

cc: Joel N. Kreizman, Esq. (via ECF)  
Arthur W. Burgess (via ECF)  
Robert B. Hille, Esq.